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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants:** Sujal M. Patel et al.  
**Title:** **SYSTEM AND METHOD FOR DETERMINING NETWORK CONDITIONS**  
**Serial Number:** 10/800,535  
**Filing Date:** March 15, 2004  
**Confirmation No.:** 1306  
**Examiner/Unit:** Nguyen Hoang Ngo / 2616  
**Attorney Docket No.:** RN025c1 (2635-024-05)

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system, EFS-Web, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7th day of October, 2008.

/Cindy Hawk/

Signature

**AMENDMENT AND RESPONSE UNDER 37 CFR §1.116**

TO THE COMMISSIONER FOR PATENTS:

Receipt of a final Office Action mailed on **August 7, 2008**, in the above-referenced patent application is acknowledged. Please amend the application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 12 of this paper.

**Replacement Sheets** follow this paper.